

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DANNY JOE BARBER, III,

Plaintiff,

v.

T. WALKER, and KITSAP COUNTY  
SHERIFF'S DEPARTMENT ,

Defendant.

CASE NO. 3:24-cv-05634-RSM-BAT

**ORDER GRANTING  
APPLICATION TO PROCEED *IN*  
*FORMA PAUPERIS* AND  
DIRECTING INSTITUTION TO  
CALCULATE, COLLECT, AND  
FORWARD PAYMENTS**

Plaintiff is a prisoner proceeding *pro se* in this civil rights action. The Court, having reviewed plaintiff's application to proceed *in forma pauperis*, hereby finds and ORDERS as follows:

- (1) The Court GRANTS plaintiff's application to proceed *in forma pauperis* (Dkt. 6).
- (2) Pursuant to 28 U.S.C. § 1915, and plaintiff's approved application to proceed *in forma pauperis*, the agency having custody of the above-named plaintiff is directed to calculate an initial partial filing fee equal to 20 percent of the greater of either: (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the 6-month period immediately preceding the date of this Order. The initial partial filing fee should be forwarded to the Clerk of Court as soon as practicable.

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1 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency having  
2 custody of the prisoner is directed to collect and forward payments equal to 20 percent of the  
3 prisoner's preceding month's income credited to the prisoner's account. In the event that the  
4 monthly payment would reduce the prisoner's account below \$10.00, the agency should collect  
5 and forward only that amount which would reduce the prisoner's account to the \$10.00 level.  
6 Please note that this \$10.00 limit does not apply to the initial partial filing fee described above.  
7 Finally, the monthly payments should be collected and forwarded to the Court until the entire  
8 filing fee (\$350.00) for this matter has been paid.

9 (3) The Clerk is directed to send a copy of this Order to plaintiff, to the financial  
10 officer of this Court, and to the agency having custody of plaintiff.

11 DATED this 5<sup>th</sup> day of September, 2024.

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14 BRIAN A. TSUCHIDA  
United States Magistrate Judge  
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